

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
BALTIMORE DIVISION**

**TRUSTEES OF THE PLUMBERS AND
PIPEFITTERS NATIONAL PENSION FUND,**

Plaintiffs,

v.

**PAUL S. YONEY, INC. a/k/a YONEY
INCORPORATED, et al.,**

Defendants.

Civil Action No. S96-2427

DECLARATION OF STUART B. RATNER

1. I, Stuart B. Ratner, declare as follows:

2. On or about May 19, 2003, the defendant mailed, by regular first class U.S. mail, its normal monthly report and payment relating to the month of April to the Trustees of the plaintiff at their normal business address. At the time payment was mailed, the defendant was unaware of the fact that all future payments were to be forwarded directly to the plaintiff's attorney and the defendant will forward all future payments to plaintiff's attorney.

3. Upon receiving this Court's Order of May 20, 2003, I contacted counsel for the plaintiff, John R. Harney, Esq., and informed him that the April payment had been erroneously forwarded directly to the plaintiff's business office, rather than to Attorney Harney.

4. Upon receipt of this Court's Order, I informed the defendant of his obligation to make ten (10) successive monthly payments, each in the amount of \$3,706.56, each due and payable on or before the first day of each month, commencing on June 1, 2003.

5. I informed the defendant of his obligation to obtain a bond, in the amount of \$37,065.58, and, insofar as I am aware, the defendant is attempting to do so.

Executed this 30th day of May, 2003 at Stamford, Connecticut.

/s/*

Stuart B. Ratner

*Counsel hereby certifies that he has a signed copy of the foregoing document available for inspection at any time by the court or a party to this action